

Notice of Allowability

Application No.

10/644,770

Examiner

Dirk Wright

Applicant(s)

INOUE ET AL.

Art Unit

3681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
 2. ☒ The allowed claim(s) is/are 1-15.
 3. ☒ The drawings filed on 04 November 2003 are accepted by the Examiner.
 4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 11042003
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Claims Allowed

Claims 1-15 are allowed.

The following is an examiner's statement of reasons for allowance: The claims are allowed because the combination of features recited in claims 1 and 14 are not anticipated nor rendered obvious by the prior art, and in particular, the features of:

a plurality of support plates for supporting the pivot shafts disposed on the two end portions of the support members; a pair of support posts including support ring portions, the support ring portions respectively existing in middle portions between the axial-direction two side surfaces of the inside disk and the axial-direction one-side surfaces of the two outside disks; wherein the respective one-side end portions of the two support posts are connected and fixed to the actuator body in a state that the rotary shaft is inserted through the support ring portions of the two support posts, the axial-direction two end portions of the inside disk are rotatably supported on the support ring portions of the two support posts, and the support plates are supported on the neighboring portions of the respective two end portions of the two support posts, was not found in the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Prior Art Discussed

The examiner has considered the references cited in applicant's Information Disclosure Statement filed November 4, 2003. None of the references, either alone or in combination, shows all of the features of the claimed invention.

The references cited by the examiner are deemed to be pertinent to applicant's disclosure. Elser '255 A1 shows a toroidal friction transmission wherein a central disc 10 is supported on a shaft 5 and drives a hollow shaft and sun gear 19, but does not show the central disc supported by a ring shaped member as part of a support post. Nakano '941 B2 shows another toroidal transmission wherein a central disc 112 is supported by unlabeled casing members but not enough detail is provided to determine whether or not all of the features of the invention are shown. Shimizu '461 B2 likewise shows central disc 22 supported by unlabeled casing members, but not enough detail is provided to determine whether or not all of the features of the invention are shown. Lohr '372 A shows a general arrangement of a toroidal transmission combined with a planetary gear set where disc 23 is powered through a planetary carrier 52, but does not show a central disc supported by ring members.

Conclusion

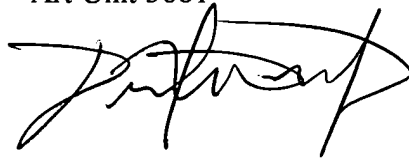
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dirk Wright whose telephone number is 703-308-2160. The examiner can normally be reached on Monday through Friday, 8AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Marmor can be reached on 703-308-0830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dirk Wright
Primary Examiner
Art Unit 3681

A handwritten signature in black ink, appearing to read 'Dirk Wright', with a large, sweeping flourish at the end.

DW
Friday, December 10, 2004